

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

JARED CROWLEY

Defendant

CRIMINAL NO. 04-10304-RCL

JOINT MEMORANDUM PURSUANT TO L.R. 116.5(C)

Pursuant to Local Rule 116.5(C), the United States and the defendant, Jared Crowley

(collectively, the "parties") state as follows:

- (1) There are no outstanding discovery issues to be presented to or resolved by the Court.
- (2) The parties do not anticipate any additional discovery at this point.
- (3) The defendant does not intend to raise a defense of insanity or public authority.
- (4) The defendant will not raise an alibi defense.
- (5) The defendant has filed a motion to suppress evidence; the government's opposition to that motion is due, and will be filed, on January 6, 2005.
- (6) The parties agree that the only matter, other than trial, which may require scheduling is a hearing on the defendant's motion to suppress.
- (7) The parties have discussed the possibility of an early resolution of the case without trial and may re-visit this discussion after the Court rules on the defendant's motions to suppress.
- (8) The indictment in this case was returned on September 29, 2004; the defendant made his initial appearance before the Court and was arraigned on October 8, 2004. On November 16, 2004, the Court issued an Order of Excludable Delay (Docket Entry 12), which stated that, as of December

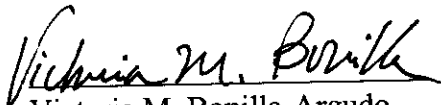
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16, 2004 EIGHT (8) non-excludable days will have occurred leaving SIXTY-TWO (62) days to commence trial so as to be within the seventy-day period for trial set by statute. The parties concur with the Court's assessment. On December 14, 2004, the defendant filed a motion to suppress and accompanying memorandum (Docket Entries 13 and 14). In accordance with the schedule established by the Court at the Initial Status conference, the government intends to file an opposition to the motion to suppress on January 6, 2004. The period from November 16, 2004 (the date of the filing of the motion to suppress) until the hearing on, or other prompt disposition of, such motion is excludable under 18 U.S.C. §3161(h)(1)(F) .

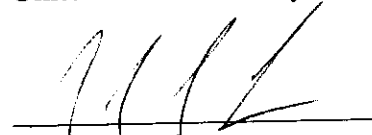
(9) The parties anticipate that the trial will last 2-3 days.

JARED CROWLEY.
By His Attorney


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